

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

2006 DEC 14 PM 1:14

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ERIC H. COTA and GERALDINE COTA, )

Plaintiffs )

v. )

ARTHROCARE CORPORATION and )  
SURGI-CARE, INC., )

Defendants. )

United States District Court  
Docket No.: 2:05-cv-19

**STIPULATION OF DISMISSAL WITH PREJUDICE**

Now Come the plaintiffs Eric H. Cota and Geraldine Cota by and through their attorney, Tina L. Shoup, Esq., and the Defendant ArthroCare Corporation, by and through its attorney, Bret P. Powell, Esq. and hereby stipulate pursuant to F.R.Civ. P. 41(a)(ii) that the above-captioned civil action is here DISMISSED WITH PREJUDICE.

Dated at Burlington, Vermont this 12<sup>th</sup> day of December, 2006.

ERIC H. COTA and GERALDINE COTA

By: *Tina L. Shoup*  
Tina L. Shoup, Esq.  
O'Neill Kellner & Green, P.C.  
159 Bank Street  
P.O. Box 5359  
Burlington, VT 05402-5359

Dated at Williston, Vermont this 25<sup>th</sup> day of September, 2006.

ARTHROCARE CORPORATION

By:

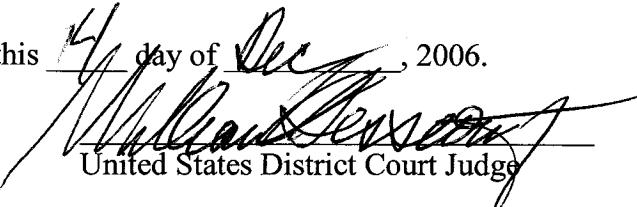
Bret P Powell

Bret P. Powell  
400 Cornerstone Drive, Suite 240  
Williston, Vermont 05495  
Telephone: 802-878-1500  
FAX: 802-878-1539  
Attorney for Arthrocare Corporation

**ORDER**

The foregoing Stipulation is hereby APPROVED and SO ORDERED. This action is hereby DISMISSED WITH PREJUDICE.

Dated at Burlington, Vermont this 11 day of Dec, 2006.

  
United States District Court Judge

4878.002\pleadings\stip dismissal with prejudice & order 9.25.06